

REMARKS/ARGUMENTS

Claims 1-39 are pending in the present application. Claims 1, 17 and 24 are independent claims.

CLAIM OBJECTION

Claims 17 and 24 have been objected to because of certain minor informalities. These claims and other claims have been reviewed and revised to correct the minor informalities and to improve their form according to U.S. practice. As such, the claim objection should be withdrawn.

35 U.S.C. § 102(e) REJECTIONS

Claims 1, 3, 5-8, 10-17, 19, 21-24, 26, 28-31 and 33-39 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Uda et al. (U.S. Patent No. 5,933,580). Claims 1-2, 4-13, 17-18, 20, 24-25 and 27-36 have been rejected under 35 U.S.C. § 102(3) as being anticipated by Nakai et al. (U.S. Patent No. 5,946,457). These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

Uda et al. is directed to a system comprising a host computer, a scanner printer server and scanners. The host computer runs a client process that communicates with the server process for requesting and controlling scan and/or print jobs. Although the system in Uda et al. includes a plurality of scanners that could be used to perform a particular scan job, no information is

disclosed on any possible selection process for selecting a particular one of the scanners. Moreover, a scan job is completely controlled by the server, the scanner merely following the commands of the server.

In clear contrast, Applicants' embodied invention is directed to a procedure in which scan jobs are assigned to any one of a plurality of scanners through the mediation of a server. An inventive procedure is that any scan job is actually started on the initiative of a scanner. Basically, the server only advertises the existence of one or more scan orders to *the plurality of scanners* and waits for any one of the scanners to apply for a particular one of the scan orders. In reaction to such an application, the server allocates that scan order to the scanner applying for it.

This feature of Applicants' invention is nowhere disclosed in Uda et al. The exemplary description of a scan process in col. 10, l. 44 – col. 12, l. 22 of Uda et al., to which the Examiner refers, does not include the feature of selecting a particular scanner among the multiple scanners for a particular scan job, but rather refers to “the scanner 103”. That is, no selection of a scanner is disclosed in Uda et al.

Similarly, Nakai et al. is directed to a system of one or more digital copiers connected to a host computer. With reference to Fig. 27 of Nakai et al., upon reception of scan data from a copier, the host computer checks if the received data are suitable for an additional processing. If the scan data are deemed not suitable, the host computer nevertheless performs the additional

processing, but sends a message back to the scanner, stating that the quality is insufficient for proper processing, and including a request for better data (i.e., for rescanning the document). The operator of the scanner in Nakai et al. is now given the choice to either use the processed (low-quality) data or to rescan the document and retry the additional processing with the new data. The Examiner interprets the choice of the re-scan option and the successive scan and data transmission as the "acceptance" of a scan request.

However, in Nakai et al., the choice of the re-scan option is given only to that scanner that transmitted the original scan data. In clear contrast, in Applicants' invention, any one of the plurality of scanners can receive and accept the request for a scan job. Once one of the scanners accepts the scan job, the system allocates the scan job to that accepting scanner. Such a system/procedure is clearly and patentably distinct from Nakai et al.'s or Uda et al.'s system/procedure.

Therefore, Uda et al. and Nakai et al. each fails to anticipate, *inter alia*:

receiving means for receiving from any one of said scanners an acceptance of the request as selected via said local operator control unit of that scanner, and

allocation means whereby, in response to the acceptance, a scan order for generation of the digitized document requested in the request is allocated to said scanner which sent the acceptance

as recited in independent claim 1;

receiving means for receiving from any one of the scanners an acceptance of the request as selected via the local operator control unit of that scanner; and

allocation means whereby, in response to the acceptance, a scan order for generation of the digitized document requested in the request is allocated to the scanner which sent the acceptance

as recited in independent claim 17; and

selecting the request by local operator control means of any one of the scanners, and sending an acceptance of the request from that accepting scanner to the central management unit;

in response to receiving the acceptance, automatically allocating a scan order by the central management unit to the accepting scanner for generation of the digitized document requested in the request

as recited in independent claim 24.

Accordingly, the invention as recited in independent claims 1, 17 and 24 and their dependent claims (due to their dependency) is patentable over the applied references, and the rejections must be withdrawn.

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, Applicants respectfully request the Examiner to reconsider and withdraw all of the objections and rejections of record, and earnestly solicit an early issuance of a Notice of Allowance.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact

Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASH & BIRCH, LLP

By Esther H. Chong #40,953
for Raymond C. Stewart, #21,066

P.O. Box 747
Falls Church, VA 22032-0747
(703) 205-8000

RCS/EHC:lmh